

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

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IN RE PHARMACEUTICAL INDUSTRY	)	MDL NO. 1456
AVERAGE WHOLESALE PRICE	)	
LITIGATION	)	CIVIL ACTION NO. 01-CV-12257-PBS
_____	)	
	)	Judge Patti B. Saris
THIS DOCUMENT RELATES	)	
TO ALL ACTIONS	)	
_____	)	

**MOTION FOR ENTRY OF SEPARATE AND FINAL JUDGMENT IN FAVOR OF  
DEFENDANT HOFFMANN-LA ROCHE INC.  
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 54(B)**

Pursuant to Federal Rule of Civil Procedure 54(b), Defendant Hoffmann-La Roche Inc. (“Roche”) hereby moves the Court for an order directing the entry of separate and final judgment in favor of Roche. In light of the Court’s Order of February 24, 2004 dismissing all of Plaintiffs’ claims against Roche in the Amended Master Consolidated Class Action Complaint (“AMCC”), and given the benefits to the Court, the remaining litigants, and Roche itself of finality in this matter, there is no just reason for delay in the entry of final judgment in favor of Roche.

WHEREFORE, for the reasons set forth in the Memorandum of Law filed herewith, Roche respectfully requests that the Court grant its Motion for Entry of Separate and Final Judgment Pursuant to Federal Rule of Civil Procedure 54(b).

Dated: April 2, 2004

Respectfully submitted,



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